



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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May 1, 2003

David Penney  
Earth's Partners  
Box 312  
Beaver, Utah 84713

Re: Acceptance of Notice of Intention to Commence Small Mining Operations, Earth's Partners,  
Carol Mine, S/001/064, Beaver County, Utah

Dear Mr. Penney:

Thank you for your Notice of Intention to Commence Small Mining Operations and initial \$150.00 permit application fee, received by the Division on April 17, 2003. The proposed Carol Mine is located in the E1/2 of Section 22, T27S, R11W, and the W1/2 of Section 23, T27S, R11W, SLBM, Beaver County, Utah. Before we could grant acceptance of the notice, we had to receive clearance from the Utah Division of State History that no historical or archaeological properties were in the area of the proposed operation. We have now received their notification that no historic properties will be affected by this operation. The application is considered complete and no additional information is required by the Division at this time.

In accordance with rule R647-3-105 regarding the project location, the areas to be disturbed should be plotted on a map in sufficient detail so that they can be located on the ground. **It is also required that the operator mark the proposed (5 acre or less) disturbed area boundary (including access/haul roads) in the field with metal T-Posts (or with some other marker of equal effectiveness). Markers must be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.**

Because this site has been previously mined by other operator(s), it would be in your best interest to take photographs and document the status of the site disturbance **before** you create any surface disturbance. Any area you re-impact then becomes your responsibility.

The acceptance of this notice is for a small mining operation only, **not to exceed five acres**. Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 2002, and annually thereafter, the fees were increased to \$150.00 for small mining notices.

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For your reference, I have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a minesite (SMO-1). Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Munson", with a long horizontal flourish extending to the right.

Tom Munson  
Senior Reclamation Hydrologist

jb  
Enclosure: SMO Summary  
O:\M001-Beaver\s001064-carol\final\apvl-05012003.doc